

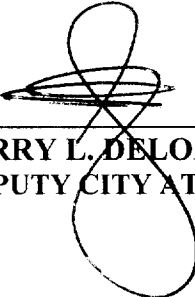
Entered - 10/10/02 - sb
CL02L0711 - DIANNE C. MITCHELL

CLAIM OF: **EUGENE M. CORBETT**
700 Martina Drive
Atlanta, Georgia 30305

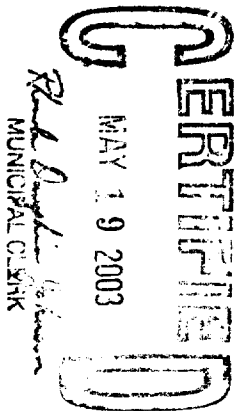
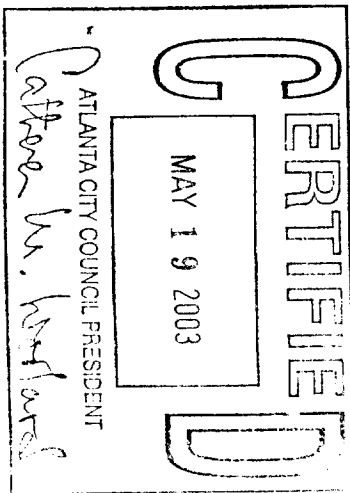
03-R-0739

For damages alleged to have been sustained as a result of property damage due to a ruptured storm sewer on an undisclosed date at 700 Martina Drive.

THIS ADVERSED REPORT IS APPROVED

BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

Adversed By
Council 5-19-03



ADVERSE REPORT

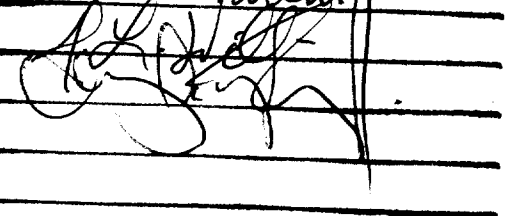
PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: 5/13/03

CHAIR: 

C. T. Mayhew





OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

May 27, 2003

Eugene M. Corbett
700 Martina Drive
Atlanta, GA 30305

03-R-0739

Dear Mr. Corbett:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on May 19, 2003. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0711

Date: April 23, 2003

Claimant /Victim EUGENE M. CORBETT

BY: (Atty.)(Ins. Co.) _____

Address: 700 Martina Drive, Atlanta, Georgia 30305

Subrogation: _____ Claim for Property damage \$ Not Stated Bodily Injury \$ _____

Date of Notice: 10/07/02 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence Not Stated Place: 700 Martina Drive

Department Watershed Management Division: Wastewater

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges his property was damaged due to a broken storm sewer. However, the claimant has failed to furnish information necessary to substantiate his claim.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____

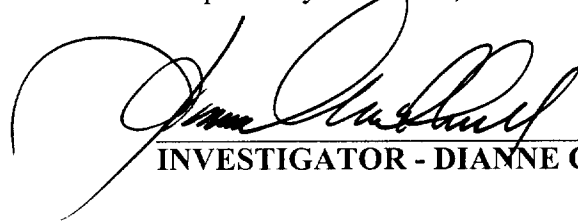
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____

City not involved _____ Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned X

Respectfully submitted,



INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____ 2P01 _____

Claims Manager: Dianne C. Mitchell Concur/date 04-30-03

Committee Action: _____ Council Action _____

RCS# 4717
5/19/03
2:39 PM

Atlanta City Council

Regular Session

CONSENT I Pgs. 1-14 Except:03-O-0456; 03-R-0598
 03-R-0703; 03-R-0773; 03-R-0788
 Adopt

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

Y Smith	B Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

5/19/03 FULL COUNCIL MEETING

Items Adopted on the Consent Agenda

- | | |
|---------------|---------------|
| 1. 03-O-0601 | 36. 03-R-0726 |
| 2. 03-O-0551 | 37. 03-R-0727 |
| 3. 03-O-0552 | 38. 03-R-0728 |
| 4. 03-O-0600 | 39. 03-R-0729 |
| 5. 03-O-0554 | 40. 03-R-0730 |
| 6. 03-O-0617 | 41. 03-R-0731 |
| 7. 03-O-0632 | |
| 8. 03-O-0633 | |
| 9. 03-O-0660 | |
| 10. 03-O-0772 | |
| 11. 03-O-0628 | |
| 12. 03-O-0759 | |
| 13. 03-R-0655 | |
| 14. 03-R-0700 | |
| 15. 03-R-0701 | |
| 16. 03-R-0704 | |
| 17. 03-R-0784 | |
| 18. 03-R-0785 | |
| 19. 03-R-0707 | |
| 20. 03-R-0708 | |
| 21. 03-R-0709 | |
| 22. 03-R-0718 | |
| 23. 03-R-0782 | |
| 24. 03-R-0713 | |
| 25. 03-R-0714 | |
| 26. 03-R-0716 | |
| 27. 03-R-0760 | |
| 28. 03-R-0768 | |
| 29. 03-R-0774 | |
| 30. 03-R-0776 | |
| 31. 03-R-0779 | |
| 32. 03-R-0722 | |
| 33. 03-R-0723 | |
| 34. 03-R-0724 | |
| 35. 03-R-0725 | |

**Items Adversed on the
Consent Agenda**

- | |
|---------------|
| 42. 03-R-0732 |
| 43. 03-R-0733 |
| 44. 03-R-0734 |
| 45. 03-R-0735 |
| 46. 03-R-0736 |
| 47. 03-R-0737 |
| 48. 03-R-0738 |
| 49. 03-R-0739 |
| 50. 03-R-0740 |
| 51. 03-R-0741 |
| 52. 03-R-0742 |
| 53. 03-R-0743 |
| 54. 03-R-0744 |
| 55. 03-R-0745 |
| 56. 03-R-0746 |
| 57. 03-R-0747 |
| 58. 03-R-0748 |
| 59. 03-R-0749 |
| 60. 03-R-0750 |
| 61. 03-R-0783 |

Consent I Vote: 13 Yeas; 0 Nays: (See RCS #4717)

Items Removed from the Consent Agenda: 03-O-0456; 03-R-0598; 03-R-0703; 03-R-0773; 03-R-0788